

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOHN ROE,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Case No. 3:19-CV-792-X-BK
	§	
UNITED STATES OF AMERICA,	§	
ET AL.,	§	
<i>Defendants.</i>	§	

ORDER


Before the Court is Plaintiff John Roe's Objection (Doc. 222) to Magistrate Judge Toliver's Order granting the Defendants' Motions to Stay Discovery (Doc. 220). The District Court reviewed *de novo* those portions of the Order to which objection was made and reviewed the remainder of the Order for plain error. Finding no error, the Court **OVERRULES** Roe's Objection.

Also before the Court are Magistrate Judge Toliver's Findings, Conclusions, and Recommendation (Doc. 226) as to the Defendants' Motion for Summary Judgment (Doc. 183). Numerous objections were filed. The Court addresses two of those objections.

First, Roe argues that the Magistrate Judge's conclusion was procedurally improper because Roe's Rule 72(a) Objection was pending before this Court. Second, he argues that the Magistrate Judge improperly concluded that the Defendants' Motion was uncontested when he had not filed his response due to his pending objection. The Court agrees on both grounds.

Accordingly, the Court **REJECTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. The Court also **DENIES WITHOUT PREJUDICE** the Defendants' Motion for Summary Judgment and **ORDERS** the Defendants to refile their Motion within fourteen (14) days of the issuance of this order. Because Roe's Rule 72(a) Objection is overruled by this order, the Court **DIRECTS** Roe to file his response based on the discovery presently available to him.

SO ORDERED this 13th day of March, 2026.



BRANTLEY STARR
UNITED STATES DISTRICT JUDGE